

Rodney L. Levin, SB#169360
Eliza J. McArthur, SB#152312
MCARTHUR & LEVIN, LLP
637 North Santa Cruz Avenue
Los Gatos, CA 95030
(408) 741-2377 (Telephone)
(408) 741-2378 (Facsimile)

ATTORNEYS FOR DEFENDANT
SAN JOSE UNIFIED SCHOOL DISTRICT

David H. Tollner, SB#138315
TOLLNER LAW OFFICES
1501 The Alameda
San Jose, CA 95126
(408) 286-3081 (Telephone)
(408) 350-2383 (Facsimile)

ATTORNEY FOR PLAINTIFF

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

J.B. BY AND THROUGH HIS MOTHER,)	Case No.: 3:12-CV-6358 SI
H.S.,)	
)	JOINT REQUEST AND STIPULATION
Plaintiff,)	FOR CONTINUANCE OF INITIAL CASE
)	MANAGEMENT CONFERENCE
vs.)	
)	
)	
SAN JOSE UNIFIED SCHOOL)	
DISTRICT,)	
)	Date: May 2, 2013
)	Time: 2:30 p.m.
Defendants.)	
)	
)	

The parties in the above-captioned case hereby request and stipulate, provided the Court is agreeable, to continue the Status Conference currently set for May 2, 2013 in this matter.

1 The Status Conference was set by way of this Court's Order dated
2 February 28, 2013 (Dkt. No. 11), and later amended by this
3 Court's Order dated April 2, 2013 (Dkt. No. 17), following
4 reassignment of this matter from the San Jose Division (Dkt. No.
5 9).

6 Defendant San Jose Unified School District filed a Motion to
7 Dismiss this action, which could potentially dispose of this
8 entire matter. This Motion was heard by this Court on April 19,
9 2013, and was taken under submission (Dkt No. 18). Given the
10 potential outcome of this Motion to Dismiss, the parties agree
11 and submit that judicial economy will be served by continuing the
12 Case Management Conference date of May 2, 2013 until a date
13 following this Court's ruling on the pending Motion to Dismiss.

14 IT IS SO STIPULATED.

15 Dated: April 26, 2013

Respectfully submitted,

16 MCARTHUR & LEVIN, LLP

17
18 /s/ Rodney L. Levin

19 By: Rodney L. Levin,
Attorney for Defendant

20
21 Dated: April 26, 2013

TOLLNER LAW OFFICES

22
23 /s/ David H. Tollner

24 By: David H. Tollner,
Attorney for Plaintiff

[PROPOSED] ORDER

The Initial Case Management Conference in this matter currently scheduled for May 2, 2013 shall be continued to a date following the Court's issuance of its Order(s) on Defendant's Motion to Dismiss. Specifically, the Initial Case Management Conference is continued to May 17, 2013. 2:30 p.m.

IT IS SO ORDERED.

Dated: 4/30/13



SUSAN ILLSTON
Judge of United States District
Court